IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 6TH OCTOBER 2006 / 14TH ASWINA 1928

Bail Appl..No. 5893 of 2006()

C.R.NO.18/2006 OF PEERUMEDU EXCISE RANGE

PETITIONER/ACCUSED

BABY, S/O.GEORGE, KURIYANADU VEEDU,
PUTHUVAL AREA, UPPUKULAM KARA,
ELAPPARA VILLAGE.

BY ADV. SRI.T.A.UNNIKRISHNAN
SMT.RESHMI POULOSE

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 5893 of 2006

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Dated this the 6th day of October, 2006

O R D E R

The petitioner is accused in C.R.No.18/2006 of Excise Range, Peerumedu, for the offence punishable under Section 8 (1) and 8(2) of the Abkari Act, as the excise officials, seized 10 litres of coloured spirit and $1^{1}/_{2}$ litres of essence, stored in the house of the petitioner on 03/08/2006. The petitioner was at that time in judicial custody as he was arrested on 28/07/2006 in Crime No.178/2006 of Peerumedu Police Station. There is also another Crime No.177/2006 of the same police station, in which the petitioner is accused for an I.P.C offence.

2. When the application came up for consideration, the learned counsel for the petitioner submitted that the petitioner is in judicial custody from 28/07/2006 and even if the date of recording of the arrest in C.R.No.18/2006 is accepted, 60 days are complete and, therefore, prayed that the petitioner may be granted bail.

3. Considering the facts that are placed before me, I grant bail and release the petitioner from jail, imposing the following conditions:-

i. The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties each for the like sum, to the satisfaction of the Judicial Magistrate of the First Class-I, Peerumedu.

ii. The petitioner shall report before the Investigating Officer, once in a week, on every Tuesday, between 10 a.m and 11 a.m, for a period of four months, starting from 10/10/2006 and thereafter, on the first working day of every month, between the same timings, till the final report is filed before the court below.

(J.M.JAMES)
Judge

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